



JC14 Rec'd PCT/PTO 02 MAR 2002

PATENT APPLICATION

#6 PCT 1601

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

MERRIL et al.

ATTN: Application Branch

Application No.: 09/926,514

Attorney Dkt. No.: 108026-00011

Filed: February 19, 2002

For: STRAINS OF BACTERIOPHAGE USEFUL FOR RESCUING PATIENTS  
INFECTED WITH VANCOMYCIN-RESISTANT ENTEROCOCCUS FAECIUM

TECH CENTER 1600/2900

MAY 16 2002

RECEIVED

**REQUEST FOR CORRECTED FILING RECEIPT**

Commissioner for Patents  
Washington, D.C. 20231

May 2, 2002

*corr. Filing  
Receipt  
sent 5/16/02*

Sir:

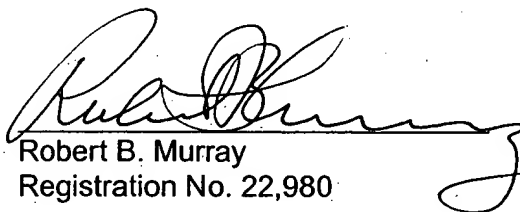
A corrected filing receipt is hereby requested.

Please change the PCT information from "PCT/US00/03718 03/13/2000 to  
PCT/US00/06718 05/12/2000.

For the convenience of the Patent and Trademark Office, attached is a  
photocopy of the original filing receipt on which the errors have been noted in red.

Please charge any deficiency or credit any overpayment with respect to this  
paper to Deposit Account No. 01-2300.

Respectfully submitted,

  
Robert B. Murray  
Registration No. 22,980

ARENT FOX KINTNER PLOTKIN & KAHN, PLLC  
1050 Connecticut Avenue, N.W.,  
Suite 400  
Washington, D.C. 20036-5339  
Tel: (202) 857-6000  
Fax: (202) 638-4810

RBM/baw

**BEST AVAILABLE COPY**



RECEIVED  
MAY 16 2002  
MAY 02 2002  
PATENT & TRADEMARK OFFICE

TECH CENTER 1600/2000

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/926,514	02/19/2002	1633	314	108026-00011	7	13	4

CONFIRMATION NO. 6684

004372

ARENT FOX KINTNER PLOTKIN & KAHN  
1050 CONNECTICUT AVENUE, N.W.  
SUITE 600  
WASHINGTON, DC 20036

**FILING RECEIPT**



\*OC000000007543216\*

Date Mailed: 03/01/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Carl R. Merril, Bethesda, MD;  
Richard M. Carlton, Port Washington, NY;  
Sankar Adhya, Gaithersburg, MD;

**Domestic Priority data as claimed by applicant**

06718 05/12/2000  
THIS APPLICATION IS A 371 OF PCT/US00/03718 03/13/2000 \*  
WHICH CLAIMS BENEFIT OF 60/134,055 05/13/1999  
(\*) Data inconsistent with PTO records.

**Foreign Applications**

**BEST AVAILABLE COPY**

**Projected Publication Date:** Not Applicable, filed prior to November 29, 2000

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

Strains of bacteriophage useful for recuing patients infected with vancomycin -resistant enterococcus faecium

**Preliminary Class**

424

---

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**BEST AVAILABLE COPY**